

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA,	:	
	:	
Plaintiff	:	
	:	18-CR-873 (VSB)
-against-	:	
	:	<u>ORDER</u>
RUBEN MORCIGLIO,	:	
	:	
Defendant.	:	
	:	
----- X		

VERNON S. BRODERICK, United States District Judge:

The Court is in receipt of Defendant’s pro se letter asking whether he qualifies for a 2-point reduction under Amendment 821.¹ (Doc. 107.) Additionally, the Probation Office prepared an Amended Presentence Report (“Amended PSR”) analyzing whether Defendant is eligible for a sentence reduction pursuant to U.S.S.G. §1B1.10 and 18 U.S.C. § 3582(c)(2). (Doc. 108 at 1 n.1.) In the Amended PSR, the Probation Office stated that Defendant “is eligible for the status point recalculation” but “is precluded from the zero-point offender offense level reduction pursuant to U.S.S.G. § 4C1.1.” (*Id.* at 2–3.) The Amended PSR concluded that Defendant “is precluded from a sentence reduction because the Total Offense Level and Criminal History Category do not change as a result of these guideline amendments.” Accordingly, it is hereby:

ORDERED that, to the extent Defendant’s pro se letter, (Doc. 107), is a motion for a sentence reduction under Amendment 821, it is DENIED.

The Clerk of Court is respectfully directed to mail a copy of this order to Defendant.

¹ Defendant asks: “Do I qualify for the 2 point reduction under A-21?” (Doc. 107.) The Court presumes that Defendant is asking whether he qualifies under Amendment 821.

SO ORDERED.

Dated: July 16, 2025
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive style with a large, stylized "V" and "B".

Vernon S. Broderick
United States District Judge